

COHEN & GREEN

January 29, 2024

BY ECF

Hon. Katherine Polk Failla, U.S.D.J.
United States District Court for the Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

MEMO ENDORSED

Re: *Rijper-Greenidge v. McGuire, et al.*, 23-cv-09702 (KPF)

Dear Judge Failla:

My firm represents Plaintiff in the above-captioned matter. I write to request that the Court extend the time to serve Defendant Ryan Roadarmel by 120 days, from the current deadline of Thursday, February 1, 2024 to Friday, May 31, 2024. This is the first request to extend the time to serve Defendant Roadarmel.

By way of background, the complaint in this matter was filed on November 3, 2023, and the deadline to serve the summons and complaint on all Defendants under Fed.R.Civ.P. 4 is February 1, 2024. While the City is not a named defendant, the individual defendants are all current or former NYPD employees, and the complaint was served on the City via email on using the Law Department's designated service e-mail address (ServiceECF@law.nyc.gov) on January 18, 2024.

In mid-December of 2023, the NYPD Employee Verification Unit provided a service address for Defendant Roadarmel. However, we learned that he has since retired when our process server attempted to serve him on January 25, 2024.

On January 29, 2024, my office served a letter on the Law Department informing them of the situation, and that I would be making this application. In the letter, I also asked that the Law Department provide current contact information for Defendant Roadarmel, or let Plaintiff's counsel know that the Law Department will accept service on his behalf. I have not yet received a response.

In light of the above circumstances, pursuant to Fed. R. Civ. P. 4(m), Plaintiff respectfully asks that the Court extend the time to serve Defendant Roadarmel by 120 days, to Friday, May 31, 2024.

Also in light of the circumstances here, I will serve a copy of this application on the Law Department by e-mail.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/

J. Remy Green



Honorific/ Pronouns: Mx., they/ their/ them
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cc:
All relevant parties by ECF.

Application GRANTED. The deadline to serve Defendant Roadarmel is hereby ADJOURNED to **May 31, 2024**.

The Clerk of the Court is directed to terminate the pending motion at docket number 11.

Dated: January 30, 2024
New York, New York

SO ORDERED.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE